REMARKS

Applicants request favorable consideration and allowance of this application in view of
the foregoing amendments and the following remarks.

Claims 9-11, 13-15, 54, 55, 58, and 59 remain pending in this application, of which
Claims 9 and 13 are independent. Claims 34-42, 56, and 57 have been cancelled without
prejudice to or disclaimer of the subject matter contained therein. Claims 9-11 and 13-15 have
been amended herein. Claims 58 and 59 are newly presented. Support for the amendments and
the newly-presented claims can be found throughout the originally-filed disclosure. Thus,
Applicants submit that no new matter has been presented.

Claims 9-11, 13-15, 34-42 and 54-57 have been rejected under 35 U.S.C. § 112, first
paragraph, as not sufficient to enable one skilled in the art to make and use the claimed
invention. First, the Examiner alleges that the specification fails to describe that the
transmission unit performs a determining step with respect to mode information. The amended
claims make clear that the determining step with respect to mode information is made by the
delivery information generation unit. Second, the Examiner alleges that the two conversion
steps are not enabled as claimed, stating that the mode-determining step dictates whether any
conversion is performed, apparently implying that it is not the case that the two conversion steps
are performed if the second or third mode is selected. Regarding Claims 9 and 13, the
conversion units and steps have been modified to recite that the processes are selectively
performed. The amendments are in keeping with the detailed description. Reconsideration
thereof and withdrawal of the rejection are respectfully requested.

Claims 9-11, 13-15, 34-42 and 52-57 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,034,970 (Levac et al.) in view of U.S. Patent No. 6,925,595 (Whitledge et al.).

Levac et al. discloses a messaging system that conveys messages generated by a variety of message sources to one or more designated message recipients who receive communications via different types of communication devices.

In Claims 9 and 13 of the present application, a delivery information generation unit/step generates delivery information including a new text inserted in a web page, and determines whether mode information registered in a user information file indicates any of first, second and third modes. A transmission unit/step transmits the synthetic speech converted by the second conversion unit/step to a client if the delivery information generation unit/step determines that the mode information indicates the first mode, transmits the phonetic character string converted by the first conversion unit/step to the client if the delivery information generation unit/step determines that the mode information indicates the second mode, and transmits the delivery information generated by the delivery information generation unit/step to the client if the delivery information generation unit/step determines that the mode information indicates the third mode.

The structure and method of Claims 9 and 13 are not taught or suggested by Levac et al. In particular, Levac et al. does not disclose determining whether mode information registered in a user information file indicates any of a first, second, and third modes, and transmitting the data accordingly. In contrast, the system of Levac et al. determines the appropriate protocol converter through which to feed the input message by looking at the destination address appended to the input message. There is no mention of a user information file or of determining

whether mode information registered in such a file indicates any of first, second and third modes, as recited in Claims 9 and 13.

Further, the invention of Claims 9 and 13 has the ability to (1) convert delivery information including a new text inserted in a web page into a phonetic character string and, (2) convert a phonetic character string into synthetic speech. These elements are not disclosed, taught, or suggested by Levac et al. The Office Action refers to column 7, lines 49-53 of Levac et al. as disclosing these elements. The Office Action may be asserting that the general ability disclosed in Levac et al. of converting a message into a different protocol is sufficient to suggest converting delivery information including a new text inserted in a web page into a phonetic character string or synthetic speech. Alternatively, the Office Action may be asserting that the mention in Levac et al. of an "audio.wav" file indicates such a conversion. Applicants respectfully submit that the Office Action is impermissibly employing hindsight reconstruction of the present invention based on the Applicants' disclosure.

There is no mention in Levac et al. of converting delivery information including a new text inserted in a web page into a phonetic character string or synthetic speech, only of converting the protocol of a message so that a different device with a different protocol could interpret the same underlying data of the message. Thus, for example, Levac et al. at most discloses that a .WAV audio file embedded in a web page may be picked up by the data acquisition program, the unnecessary headers and footers stripped off (remnants of its original protocol), and the same underlying audio embedded in the .WAV file delivered in a proper format (a new protocol) to the destination communication device. It does not disclose or suggest, however, converting delivery information including a new text inserted in a web page into a phonetic character string or synthetic speech.

Whitledge discloses selecting and extracting hypertext elements from the World-Wide-Web and converting them into a format suitable for display. Whitledge does not disclose, teach, or suggest, however, either (1) determining whether mode information registered in a user information file indicates any of a first, second, and third modes, and transmitting the data accordingly, or (2) converting a character string representing new text inserted in a web page into a phonetic character string and converting a phonetic character string into synthetic speech.

For at least the foregoing reasons, Applicants respectfully submit that the applied reference fails to teach or suggest the invention as recited in independent Claims 9 and 13.

The remaining claims in the present application are dependent claims that depend directly from Claims 9 and 13 and are allowable by virtue of their dependency and in their own right for further defining Applicants' invention. Favorable and independent consideration thereof is respectfully sought.

Applicants submit that all outstanding matters in this application have been addressed and that it is in condition for allowance. Favorable reconsideration and early passage to issue of the above application is respectfully sought.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,

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